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Class L158

Book 65

1824

REPORT

OF THE

COMMITTEE

ON

PUBLIC INSTRUCTION.

DECEMBER SESSION, 1824.

ANNAPOLIS:

J. HUGHES, PRINTER.

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REPORT.

The committee appointed to inquire into the present system of public instruction throughout this state, and to devise a system, the views of which shall embrace the primary, or common schools, as the basis, and to consider especially the interests of agriculture as connected with education, with power to report the sources of revenue proper to sustain the institution, and to procure all necessary information, have had the same under consideration, and beg leave to report, in part, as follows:—

In relation to the first branch of the subject matter referred to them, your committee have discovered that the “present system of public instruction,” if a system it may be called, is so dispersed throughout the statute book, in so many acts and

supplements, that hitherto they have not been able to digest and prepare a satisfactory exposition, and deeply impressed with the magnitude of the matter, and the propriety of presenting the result of their deliberations upon the principal, or main question, at an early day, they have postponed for a further report, a detailed developement of their inquiries into the present existing system.

Your committee therefore have proceeded, according to the order of their appointment, to mature a plan of public instruction, having for its basis the primary or common schools, and to consider upon the expediency of connecting by legislative provisions, the first interest of the country, with its scheme of education, all which will appear at large, in the bill presented with this report.

Your committee consider that the interests of agriculture, pre-eminently require the constant care and fostering protection of the legislature—they not only employ the principal

part of our population, but they immediately impart animation and salutary vigour to every branch of the body politic. We have felt the effects of immense excesses of importation, beyond the exports of our productions, and specie and stocks withdrawn from circulation and exported, producing a balance of trade against us, which daily accumulates to increase our miseries.

Your committee consider the improvements of husbandry as most efficient to produce reform, and that those improvements may be produced by public schools of agriculture, and pattern farms to test principles, and to confirm theories by actual practice and experiments. They applaud the view of this subject which was exposed by the able "report of the committee on agriculture to the assembly of New York" at their last session. But we do not lack precedents; for in spite of political prejudices which would fetter the human mind, schools of agriculture have been established in France, Switzerland, Prussia, Italy and the Austrian states. We have an illustrious exam-

ample to encourage and to guide us, in the establishment of M. de Fellenberg, at Hofwyl, in Switzerland. Impelled by a belief, that agriculture, in its study and in its practice, furnishes the best means of developing the usefulness of man, and of winning him to virtue, this gentleman undertook, with his private means, to establish and manage a school, which should improve the art of cultivation and the character of the cultivator. He encountered many difficulties, amongst which the prejudices of his fellow citizens were not the least formidable—but his *perseverance triumphed over all*.

This school was established about sixteen years ago. It attracted much attention, and served as model for others, particularly in Hungary and Bohemia. The Emperor of Russia caused a detailed report of it to be presented to him, in 1814. He was so well pleased with the plan and management, that he complimented the founder with an order of Knighthood.

The pupils of Hofwyl school, are employed at high salaries in various parts of Europe, to superintend and direct the labours of agriculture. Dr. Bright in his recent travels in Hungary, saw one of them, who had the superintendence of an extensive estate, the revenues of which had been quadrupled in a short time, by his management. The same traveller enumerates eight schools on the Hofwyl plan, which had been established by the government, or by individuals in the Austrian dominions—in these, the course of study generally lasts three years, in which time the pupils are instructed in natural philosophy, chemistry, natural history, and veterinary medicine; while upon large experimental farms they are taught agriculture, the management of fruit and forest trees; and the care of cattle, sheep, swine and bees.

An agricultural school was amongst the means adopted by Leopold, to meliorate the condition of Tuscany; and that Duchy is now amongst the best cultivated, and most productive districts in Europe.

The Emperor Napoleon organized and endowed the National school at Alfort—"Here," says a statesman, who resided some years in France, "all the branches of science connected with agriculture, are taught—chemistry, botany, the anatomy of cattle, farriery, with the mechanics, and as much of geology as is known, and farm work, and domestic economy, in every branch, and down to the smallest article, are there exhibited and explained. It was believed, in 1810, that *this academy had tended much to enlighten the people of France, on the general subject of husbandry, as well by the examples it gave of new and improved machinery, and the most successful objects and modes of culture, as by sending abroad into the provinces, many scientific and practical men, who carried their knowledge with them, and were the means of introducing new and improved practices.*"

In 1808, the King of Prussia established a school of agriculture; in twelve years the value of the farm was increased from 2000 to 12,000 dollars; Van Thaer, is director, and under him there are three professors—one for mathematics, chemistry and geology^o; one for veterinary know-

ledge; and a third for botany, and the use of the different vegetable productions in the materia-medica, as well as for ^{the}etymology.

Your committee will suggest some of the many advantages likely to result from the establishment of the proposed institutions.

First—^{the}Agricultural schools will collect the best systems and most recent improvements in husbandry from Europe and America—analyze and adapt them to our climate, our soils, our productions, and our wants; demonstrate their utility in practice, and disseminate a knowledge of them into every part of the state. The Hofuy! farm will serve to illustrate the extent of these advantages. The whole establishment comprises but 214 acres; and the average annual profit, of the pattern farm alone for a period of four years, was found to be about 4000 dollars, exclusive of the cattle concern which was kept separate. We are furnished in Rees' Cyclopedia, with numerous statements, demonstrating, the superiority of the new, over the old system of husbandry.

We need not resort to Europe, for evidence of the disparity which exists between the old and new systems of husbandry; every day's

observation affords proof in our practice; why, in passing through the country, do we see one farm thrice as productive as another, with equal natural advantages? This contrast cannot be owing entirely to indigence, or to indolence, in the unsuccessful cultivator; it proceeds rather from the want of method—of knowledge—knowledge is science—and science is only precepts and principles grounded on demonstration.

It has been said that agriculture is a *trade*, an *art*, or a *science*. That as a trade, it requires only the exercise of bodily power; that as an art, it employs the understanding and the judgment; and that as a science, it comprehends a knowledge of natural history, of chemistry, &c.: so far as these are subservient to the improvement of husbandry. We have many who follow the trade, less who practice the art, and but few who understand the science.

The introduction and multiplication of improved machinery, would be an important benefit from the proposed schools—It is believed that ten millions of dollars would result to the agriculturists, if one half of the grain grown in the United States, should be threshed by the improved mills, and it has been estimated that the general use of

Wood's cast iron ploughs, would effect an annual saving of eight thousand dollars, in the small state of Rhode Island. The schools would be competent to investigate the principles, and to test the merits of the implements now in use; and of those which genius and skill may hereafter bring forth. Their opinions would inspire confidence in those found to be approved. Genius would thus be encouraged, and imposture put down.

Experimental farmers, of whose operations accurate details would be kept, would furnish lists of the value of grains, grasses, plants and animals, which might be introduced from abroad, or but partially known amongst us, they would instruct us in their culture and management, and do much towards establishing general and salutary principles in the business of husbandry. It is not enough to know what experiments prove successful—we ought also, to be advised of those which have proved unsuccessful, in order that we may avoid errors. “The art of agriculture can never be brought to its highest perfection, or established on rational principles, unless by theories of actual experiments. It is full time, therefore, by the establishment

of experimental farmers, to³ bring the art to its utmost practicable perfection." The public would be made acquainted with the important facts developed by the operations of these farmers, through the public prints; and the students would disseminate a knowledge of them orally, and by their practice.

Horticulture would be improved, and its benefits extended by these schools; a knowledge of grafting, innoculating, transplanting and pruning fruit trees; of the varieties of fruit, and of culinary vegetables and their management, all useful qualifications to every man, and may administer to his comfort, as well as profit.

Secondly—To commerce and manufactures, the benefits will be in proportion to the increased products and profits of agriculture.

Thirdly—Schools of agriculture will improve the morals of society. The students will carry with them, to their dispersed homes, constitutions hardened by the salutary influence of field labour; minds invigorated by useful knowlege, and familiar with the best systems of husbandry; habits of reflection, of industry and sobriety; and a laud-

able ambition to excel in a business whose private gain, is always public good.

Fourthly—Schools of agriculture will tend to improve the revenues of the state; the increased amount of assessable property, and the augmented receipts of turnpike companies, consequent upon the increase of the products of agriculture, will abundantly remunerate the public advances—our situation is singularly propitious in this respect, and presents a prospect of indemnity which other states do not possess—and we are induced to consider the appropriations requisite to this object, rather as *loans* than as *donations*—and as loans for which the public will receive usurious interest.

Fifthly—It remains for your committee to consider the influence of schools of agriculture on the political institutions of our country. It has been urged against their establishment in Europe “that it is dangerous to educate the labouring classes, that their knowledge may become the elements of discontent;

that their knowledge may become the elements of discontent, that an educated people are more difficult to govern; and that the government which labours to enlighten the people, prepares for itself the means of resistance." However forcibly these arguments may seem where the divine right of Kings is acknowledged, and where blood peers it over virtue and intellect, *our* policy and *our* duty demand the observance of opposite maxims. Our agricultural population constitute our strength in war—they sustain the mass of the public burthens—and they are the guardians of our civil and religious freedom. Hence our dangers arise, not from an excess, but from a want of knowledge in the great body of the people. The course of studies contemplated, will embrace every branch of science which is applicable or useful to agriculture—and the labours of the pupils will extend to every department of practical husbandry, including gardening, and the management of cattle.

There is another and a very interesting view, which may be taken of this subject. We know that a limited portion of the popu-

lation of every agricultural country, is adequate to the supply of its wants. It appears, from the British statistical tables, that 33 per cent. of their population supply the country with provisions; 46 per cent. are engaged in trade and manufactures, and that 21 per cent. comprise all the unproductive classes; and it further appears, that of those engaged in manufactures, 28 per cent. supply the domestic consumption; and 18 per cent. are employed for exportation. Our last census exhibits a glaring and awful contrast; 83 per cent. of the population of the United States, are extended under the denomination of agriculturists, and only $4\frac{1}{2}$ per cent. in trade and manufactures. In common years, the British supply their own provisions, and our exportations do not exceed a twentieth part of our productions. This is sufficient to prove defect, and to manifest the strong necessity of amendment in our system—that our *primary interest*, which is agriculture, may be improved; and that a due proportion of our population may be employed in manufactures, trade and commerce, to increase our wealth, and to fortify our institutions.

But to conclude, we trust it will not be denied that the general extension of education is “the best assurance of free government,” that the public prosperity, keep pace with the progress of literature. *Gubi scientia, ubi libertas*, science and freedom march hand and hand; science discloses the blessings of liberty, and freedom encourages reflection and research—the base and fountain of useful knowledge, whilst ignorance and vice support the throne of despotism—What is man without intelligence, and what is he not with its enlargement? Ignorance destroys the growth of virtue and liberal views—it debases them, and prepares his mind for subjugation. Let us therefore complete a general system of instruction, to enlighten the rising generation—to expand the circle of intellectual enjoyments and ameliorate humanity.

LITTLETON D. TEACKLE, Chairman.

HOUSE OF DELEGATES,

Bill No. 34.



AN ACT

To provide for the Public Instruction of
Youth throughout this State, and to
promote the interests of Agriculture.

SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land,* That there shall be constituted and appointed by the
3 governor and council, an officer to be known and distinguish-
4 ed, as the superintendent of public instruction.

*Superintendent,
of
Public Instruction*

Sec. 2. *And be it enacted,* That it shall be the duty of
2 the said superintendent to digest and prepare a plan or plans,
3 for the public instruction of youth throughout this state, for
4 the organization, improvement and management of such
5 system as may be adopted, and of such revenues as may,
6 from time to time, be assigned and appropriated to the ge-
7 neral objects of the institution, to prepare and report esti-
8 mates and expenditures of the said revenues, to superintend
9 the collection thereof, to apportion the funds, to perform
10 such duties in relation thereto, as may by law be required of
11 him, to give information to the legislature on all matters re-
12 ferred to him by either branch, or which shall appertain to
13 his office, and generally to execute all concerns in relation to
14 the administration of his department; and before entering
15 upon the duties of his office, he shall take an oath or affir-
16 mation for the diligent and faithful execution of his trust.

Sec. 3. *And be it enacted*, That the justices of the levy
2 court in each of the several counties of this state, in the
3 month of April or at any special meeting for that purpose
4 to be called, shall annually appoint nine of the inhabitants
5 of their respective counties to be commissioners of primary
6 schools for the said county, also a suitable number of discreet
7 persons not exceeding eighteen, who, together with the com-
8 missioners, shall be inspectors of primary schools for the said
9 county, which said commissioners and inspectors shall hold
10 their offices for one year, and until others shall be appointed
11 in their places; and in case any of the said officers so ap-
12 pointed, or to be appointed as aforesaid, shall refuse to
13 serve, or die, or remove from the county, or become incapa-
14 ble of serving, the same shall be supplied at the next meet-
15 ing of the levy court.

*Justices of Levy Court
to appoint
9 Commissioners
of primary schools*

*Not exceeding
18. Inspectors of
Primary Schools*

Sec. 4. *And be it enacted,* That each of the said officers,
2 so to be chosen or appointed as aforesaid, shall, before he
3 enters upon the execution of his office, and within fifteen
4 days after his election or appointment as aforesaid, take and
5 subscribe an oath before some justice of the peace, in the
6 form following: That is to say, "I do
7 solemnly and sincerely promise and swear, or affirm, as the
8 case may be, that, I will, in all things to the best of my
9 knowledge and ability, well and truly execute the trust re-
10 posed in me as commissioner, or inspector, as the case may
11 be, of primary schools for the county, without favor or par-
12 tiality," and every justice of the peace before whom such
13 oath shall be taken, and subscribed as aforesaid, shall, with-
14 out fee or reward, certify under the same in writing, the day
15 and year when the same oath be taken, and subscribe his
16 name thereto, and then deliver such writing to the person

in Oath.

17 taking such oath, who shall within eight days thereafter,
18 transmit or deliver the same to the clerk of the county for
19 which such officer, so taking such oath, was elected or ap-
20 pointed; and if any such officer so chosen or appointed as
21 aforesaid, shall not take and subscribe such oath as afore-
22 said, and transmit or deliver the same as aforesaid, within
23 the time for that purpose limited as aforesaid, such neglect
24 shall be deemed a refusal to serve in such office, and if any
25 person so chosen or appointed to such office as aforesaid,
26 shall refuse to serve in such office, or shall serve therein be-
27 fore he shall have taken and subscribed such oath as afore-
28 said, then and in every such case, such person shall forfeit
29 and pay the sum of ten dollars, to be recovered with costs of
30 suit, before any justice of the peace having jurisdiction there-
31 of, by action of debt, the one moiety thereof to the use of
32 the primary schools of the county, for which such officer

33 was chosen or appointed as aforesaid, and the other moiety
34 thereof, with costs of suit, to the use of any person who shall
35 prosecute for the same to effect.

*sup to
county
her Liberty*

Sec. 5. *And be it enacted,* That it shall be the duty of the
2 commissioners of primary schools or the major part of them,
3 to divide their respective counties into a suitable and conve-
4 nient number of school districts; and to alter and regulate
5 the same as hereafter provided; and it shall be the further
6 duty of the commissioners of the primary schools aforesaid,
7 immediately after the formation or alteration of any such
8 school district in their respective counties, to describe and
9 number the same, and to deliver the description and num-
10 ber thereof in writing, to the clerk of the county, who is
11 hereby required to receive and record the same in the coun-
12 ty records without fee or reward.

SEC. 6. *And be it enacted,* That the said commissioners may alter
2 and change the school districts, with a view to their better arrange-
3 ment, and the general convenience of the people; provided, how-
4 ever, that no such alteration or change shall be made before the first
5 day of April, or after the first day of June in each year, unless the
6 trustees of the district so to be altered or changed, shall assent
7 thereto.

may alter them

SEC. 7. *And be it enacted,* That it shall be the duty of the seve-
2 ral constables, in their respective counties, to notify the different
3 officers to be appointed in virtue of the provisions of this act, of
4 their appointments, having received notice from the appointing pow-
5 er, whose duty it shall be to give such notice to the constables
6 aforesaid.

SEC. 8. *And be it enacted,* That the commissioners aforesaid,
2 shall be allowed a reasonable compensation for each day employed
3 by them, in so forming, altering or regulating school districts, not

4 exceeding two dollars per day, which shall be levied and paid as
 5 other country charges are levied and paid.

SEC. 9. *And be it enacted,* That whenever any school districts shall be
 2 formed in any county, by the commissioners of primary schools as
 3 aforesaid, it shall be the duty of the said commissioners, within
 4 twenty days thereafter, to make a notice in writing, describing such
 5 districts, and appointing a time and place for the first district meeting,
 6 and to deliver such notice in writing to some one of the inhabitants
 7 liable to pay taxes, residing in such district, whose duty it shall be
 8 to notify the inhabitants residing in such district as aforesaid, by
 9 public advertisements, to be put up at the most public places of the
 10 said district, at least six days before the time of such meeting; and
 11 if any such inhabitant shall neglect or refuse to give such notice, he
 12 shall forfeit and pay the sum of five dollars, to be recovered with the
 13 costs of suit before any justice of the peace having cognizance
 14 thereof by action of debt, the one moiety thereof, to the use of the
 15 primary school of the county, where such district shall be situated,

16 to be paid to the commissioners of such schools; and the other moie-
17 ty thereof, with costs of suit, to the use of any person who shall pro-
18 secute for the same to effect, and in case such notice shall not be gi-
19 ven as aforesaid; or the inhabitants of such district, when so notified,
20 shall neglect or refuse to assemble, or form a district meeting, in
21 pursuance of such notice; or in case any district having been form-
22 ed or organized, in pursuance of such notice, shall, in the opinion
23 of the commissioners aforesaid, be dissolved by adjournment, with-
24 out day, or from any other cause whatever, it shall and may be
25 lawful for the commissioners aforesaid, or any of them at any
26 time thereafter, to renew such notice, which notice being so renew-
27 ed, shall be delivered to some one of the said inhabitants of such
28 district, in manner aforesaid, whose duty it shall be to serve the
29 same in manner aforesaid, on pain of the like penalty and forfeiture
30 for neglect thereof, to be recovered in like manner, and for the like
31 uses, as aforesaid; and the inhabitants of such district, liable to pay
32 taxes, as aforesaid, shall assemble together in pursuance of such no-

33 tice, and when so assembled in district meeting, it shall and may
34 be lawful for them, or a majority of such of them as shall be present
35 at such district meeting, to adjourn to any other time or place; and
36 at such first, or any future legal district meeting, it shall and may
37 be lawful for them, or a majority of such of them, as shall be pre-
38 sent as aforesaid, to adjourn from time to time, as occasion may re-
39 quire; to fix on a time and place for holding their future annual
40 meetings, which annual meetings they are hereby authorised and
41 required to hold, to choose one district clerk to keep the records
42 and proceedings of such meeting; also three trustees to manage the
43 concerns of such district, and one district collector, also to designate
44 a site for their school house, to vote a tax on the resident inhabitants
45 of such district, as they, or a majority of such of them as shall be
46 present as aforesaid, shall deem sufficient to purchase a suitable site
47 for the school house, and to build, keep in repair, and furnish such
48 school-house with necessary fuel, books, stationary and appendages;
49 and to repeal, alter, regulate and modify all such proceedings, or

*to be held in
district meeting
at such first, or any future legal district meeting*

*choose district
clerk &
three trustees
&
one collector*

tax on the inhabitants

50 any part thereof, from time to time, as occasion may require; provi-
51 ded, however, that no alteration as to the site of a school house,
52 shall take place but by consent of at least four commissioners of the
53 county; and it shall and may be lawful for the trustees of such dis-
54 tricts, or a majority of them, whenever they shall deem it necessary
55 to call a special meeting of the said inhabitants, of such district no-
56 tice thereof being given as herein after provided; and no district
57 meeting held as aforesaid, shall be taken or deemed illegal for defect
58 or want of due notice, to any of the said inhabitants of such district,
59 provided the omission to give such notice be not wilful and designed.

SEC. 10. *And be it enacted,* That the clerk, trustee and collector of
2 each school district, shall hold their respective offices until the annu-
3 al meeting of such district next following the time of their appoint-
4 ment, and until others shall be appointed in their places; and in
5 case such officers, or any of them, shall be vacated by the death, re-
6 fusal to serve, removal out of the district, or incapacity of any such
7 officer; and such vacancy shall not be supplied by the district at a

*Collector, Collector
Trustee, now
vacancy, to be
supplied.*

8 special or other district meeting, within one month thereafter, it shall
9 and may be lawful for the commissioners of primary schools for the
10 county in which such district shall be situated, to supply such va-
11 cancy by the appointment of any person residing in such district;
12 and such appointment shall have the same effect, to all intents and
13 purposes, as if the same had been made by the district, at any
14 legal district meeting, and every person who shall be duly chosen or
15 appointed as aforesaid, to serve in any such office, and shall refuse
16 to serve therein, shall forfeit and pay the sum of five dollars, to be
17 recovered with costs of suit, by action of debt, in the name of the
18 commissioners of primary schools, for the county in which such per-
19 son shall reside; or in the name of any other person, before any jus-
20 tice of the peace having cognizance thereof; and such sum, when so
21 recovered, shall be paid to the commissioners aforesaid, for the use of
22 the primary schools in such county; and every person, who being
23 duly chosen or appointed as aforesaid, to serve in any such office, and
24 having accepted thereof, or not declared his refusal to accept, shall

*value, for re-
ding & de...*

neglect the performance of the duties of such office, shall forfeit and pay the sum of ten dollars, to be recovered, with costs of suit, in manner aforesaid, and for the use aforesaid.

SEC. 11. *And be it enacted,* That it shall be the duty of the clerk of each school district, to keep the records and proceedings of his district, in a book to be provided for that purpose; and whenever a special district meeting shall be called by the trustees of such district, it shall be the duty of such clerk to give notice as aforesaid, of the time and place of such special district meeting, to the inhabitants of such district, at least five days before such meeting shall be held; and when any district meeting shall be adjourned for a longer time than one month, it shall be the duty of the clerk of such district to give notice thereof in writing as aforesaid, at least five days before the time appointed for such meeting; and it shall be the further duty of such clerk to give notice in like manner of every meeting, to be held in such district; and it shall be the duty of such district clerk to keep and preserve all records, books, writings and papers belonging

15 to his office; and on the expiration of his time of service to deliver
16 the same to his successor in office, in the same manner as the county
17 clerk is required by law, to deliver all records, books and papers be-
18 longing to his office, to his successor in office.

to be the same as for
SEC. 12. *And be it enacted,* That the collector in each
2 school district, shall have the same power and authority, and
3 have the same fees for collecting, and be subject to the same
4 rules, regulations and duties, as respects the business of the
5 district, which by law appertaineth to the collector of the
6 county charges in which such district may be.

to be the same as for
SEC. 13. *And be it enacted,* That it shall be the duty of the
2 trustees of each school district, whenever a district meeting
3 shall have voted a district tax, or as soon as may be, to make
4 a rate bill or tax list, which shall raise the sum voted for in
5 due proportion on all the taxable property in such district
6 agreeable to the assessment of the last preceding county tax,

7 and to annex to such tax list or rate bill, a warrant, and to
8 deliver the same to the collector of such district, which war-
9 rant shall be substantially as followeth:

10

11 county of _____ ss, To
12 collector of the district in the county aforesaid, greeting,
13 you are hereby required and commanded to collect from
14 each of the inhabitants of said district, the several sums of
15 money written opposite to the name of each of said inhabi-
16 tants, in the annexed tax list, and within thirty days after
17 receiving this warrant, to pay the amount of the monies by
18 you collected, into the hands of the trustees of said district,
19 or some one of them, and take their, or his, receipt thereof; and
20 if any one or more of said inhabitants shall neglect or refuse
21 to pay the sum, you are hereby further commanded to levy
22 on the goods and chattels of each delinquent, and make sale

7 ther duty of the trustees aforesaid, to agree with, and em-
8 ploy, all teachers to be employed in such district; *Provided,*
9 That no teacher shall be employed by them, who shall not
10 have received the certificate of approbation from the inspec-
11 tors of schools, as is hereinafter provided; and it shall be the
12 further duty of the trustees aforesaid, to pay the wages of
13 such teachers, out of the monies which shall come into their
14 hands from the commissioners of primary schools aforesaid.

*Trustees, to employ
Teachers,
to be approved
by Inspection*

SEC. 15. *And be it enacted,* That it shall be the duty of
2 the trustees of each school district aforesaid, semi annually,
3 on or before the first day of April and October in each year,
4 to make and transmit to the commissioners of primary
5 schools for the county in which such district shall be situat-
6 ed, a report, specifying the length of time a school has been
7 kept in such district, the amount of monies received by
8 them, the manner in which the same hath been expended by

*Trustees, to report
to Commissioners*

9 them, and as nearly as may be, the number of children taught
10 in such district, and the number of children residing in such
11 district, between the ages of five and fifteen years inclusive.

Sec. 16 *And be it enacted,* That it shall be the duty of
2 the commissioners of primary schools for each county, to
3 apply for, and receive from the treasurer of the Western
4 Shore, all monies which shall be apportioned, and payable
5 to their counties, as soon as may be, after the same shall be
6 so apportioned and payable as aforesaid, and it shall be the
7 duty of the commissioners aforesaid to apportion all monies
8 which shall come into their hands for the use of the primary
9 schools, as soon as may be after such monies shall be receiv-
10 ed by them, amongst the several school districts, lying with-
11 in their counties, which shall have substantially complied
12 with the provisions of this act, according to the number of
13 children between the ages of five and fifteen years as afore-

transferring
new School
apportion

tribute

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14 said, living in each such district, and all monies so to be ap-
15 portioned by the commissioners as aforesaid, shall be paid
16 by them according to such apportionment to the trustees
17 of the district to which such monies shall be apportioned as
18 aforesaid, whose receipt therefor shall be good and sufficient
19 evidence of such payment; which monies so to be received
20 by the trustees as aforesaid, shall be applied and expended
21 by them in paying the wages of the teachers to be employed
22 by them and for no other purposes; *Provided*, that no monies
23 apportioned as aforesaid, shall be paid by the commissioners
24 aforesaid, until the trustees of the district to which such
25 monies shall be apportioned as aforesaid, or at least two of
26 them, shall have certified in writing under their hands, and
27 delivered such certificate to the commissioners aforesaid, or
28 some, or one of them, substantially in the words following,
29 viz: We the trustees of the school district

30 within the county of _____ do certify
31 that a school hath been kept in said district for at least three
32 months during the year last past, from the date thereof, by
33 an instructor duly appointed and approved in all respects
34 according to law, and that all monies received during the
35 said year, the commissioners of primary schools have been
36 faithfully applied in paying the wages of such instructor,
37 dated, &c.

38 _____ Trustees.

39 And all monies which shall be apportioned as aforesaid, shall
40 be paid by the commissioners aforesaid, to the trustee on his
41 making and delivering to them a certificate substantially in
42 form following: I _____ the trustee of

43 _____ do hereby certify, that all mo-
44 nies heretofore received from the commissioners of primary
45 schools, having been faithfully applied according to the true

46 intent and meaning of the act entitled, an act to provide for
47 the public instruction of youth throughout this state, and to
48 promote the interests of agriculture,

49 Trustee.

50 And all monies which shall be apportioned by the commis-
51 sioners as aforesaid, and which shall remain in their hands
52 unpaid, for the space of one year thereafter, either from the
53 omission or neglect of the trustees, to apply for, and make
54 the necessary certificate to entitle them to the same, or from
55 any defect in such certificate, shall after the expiration of
56 such year, be added to the monies next thereafter to be ap-
57 portioned by them, and shall be apportioned and paid toge-
58 ther with such monies as aforesaid, and in case any monies
59 which shall come into the hands of the commissioners afore-
60 said for the use of the primary schools, for their counties,
61 shall not be apportioned by them as aforesaid, for the space

62 of two years thereafter, by reason of the non-compliance of
63 all the school districts in such county, within the provisions
64 of this act, all such monies so remaining, not apportioned for
65 the space of two years as aforesaid, shall be returned and
66 paid by the commissioners to the treasurer, and be apportioned
67 and distributed by him, together with the other monies next
68 thereafter to be apportioned, and distributed by him in pur-
69 suance of this act.

SEC. 17. *And be it enacted,* That if any trustee appointed
2 under this act shall make a false certificate, or report, by
3 means whereof any monies shall be fraudulently obtained
4 from the commissioners aforesaid, or unjustly apportioned
5 by them, such trustee, signing such certificate, or report,
6 shall forfeit and pay the sum of twenty-five dollars, to the
7 commissioners of the county in which such trustee shall be
8 appointed, or chosen, to be recovered with costs of suit, by

9 action of debt, on this statute before any justice of the peace,
10 having cognizance thereof, in the name of the said commis-
11 ers, and such sum, exclusive of the costs of suit, shall be ap-
12 plied when recovered, to the use of the primary schools of
13 such county.

SEC. 18. *And be it enacted,* That it shall be the duty of the in-
2 spectors of primary schools, to be appointed under this act, to ex-
3 amine all persons, who shall offer themselves as candidates for teach-
4 ing primary schools in the county, for which such inspector shall
5 be chosen or appointed; and in such examination it shall
6 be the duty of the inspectors aforesaid, to enquire, and so far
7 as they shall be enabled thereto to ascertain and inform themselves
8 as to all the qualifications mentioned and contained in the certificate
9 herein after specified and given in form; and if they shall be satis-
10 fied, as to the sufficiency of such qualifications, they shall certify in
11 writing under their hands, and deliver such certificate to the person
12 so examined by them as aforesaid, in form or substance following,

*Inspectors of
primary schools
to examine
Teachers.*

21 Inspectors of primary schools.
22 And it shall and may be lawful for the inspectors of primary schools,
23 to annul any such certificate, so given by them, or their predecessors
24 in office, as aforesaid, to any such person as aforesaid; provided that
25 notice thereof in writing be given to the trustees of the school dis-
26 trict, or some or one of them, in which such person shall be em-
27 ployed as a teacher, at least three days before such certificate shall
28 be annulled as aforesaid. And further, if any person shall be em-
29 ployed as a teacher, by the trustees of any school district, who

Inspectors of primary schools.

30 shall not have obtained such certificate, as aforesaid, from the inspec-
31 tors of primary schools of the county in which such district shall be
32 situated, or whose certificate, so having been obtained, shall have
33 been annulled as aforesaid, such district shall forfeit, for the time
34 such person shall be so employed, as aforesaid, all right and claim
35 to any share of the monies which shall come into the hands of the
36 commissioners of primary schools aforesaid, during such time.

SEC. 19. *And be it enacted*, That it shall be the duty of the in-
2 spectors of primary schools aforesaid, to visit all such primary schools
3 within their respective counties, as shall have been formed in pursu-
4 ance of this act quarterly, or oftener, if they shall deem it necessary;
5 and to examine into the state and condition of such schools, both as
6 it respects the proficiency of the scholars, and the good order and
7 regularity of schools; and from time to time, to give their advice and
8 direction to the trustees and teachers of such schools, as to the go-
9 vernment thereof, and the course of studies to be pursued therein.

SEC. 20. *And be it enacted*, That a majority of the said inspectors

2 present, and acting in the performance of any of the duties required
3 of them by this act, shall be competent to perform any such duties;
4 provided, that in the examination of teachers, and in certifying their
5 qualifications as aforesaid, or in annulling any certificate as afore-
6 said, not less than three of the said inspectors shall be present; and
7 in all other cases, not less than two of said inspectors shall be pre-
8 sent.

SEC. 21. *And be it enacted,* That it shall be the duty of the com-

commissioners
not to
of county
to re-
to Super-
intendent.
2 missioners of primary schools of the several counties in this state, on
3 or before the first day of July, in each year, to make and transmit a
4 county report to the clerk of their county, embracing the same mat-
5 ters as shall be contained in the report of the trustees of school dis-
6 tricts, to the said commissioners; and the clerks of the several coun-
7 ties, shall, on or before the first day of December, annually, make a
8 county report, embracing all the matters contained in the several
9 county reports aforesaid, and transmit the same to the superintend-
10 ent of primary schools, whose duty it shall be annually, on or be-

to
in future

11 fore the first Tuesday in January, to make a report to the Legisla-
12 ture, embracing all the matters contemplated by this act.

SEC. 22. *And be it enacted,* That the commissioners of primary
2 schools in each county, shall be enabled to hold any property which
3 may be granted to them for the use and benefit of the primary
4 schools in their county; and such property, whether real or person-
5 al, shall be to them and their successors in office, in the same manner
6 as if they were a body politic and corporate in law; and such proper-
7 ty shall be deemed to be vested in the trustees of the several school
8 districts for the use and benefit of their school, in the same manner
9 as if such property had been granted to them for that purpose; and
10 the said trustees of any school district shall be enabled to hold any
11 property which may be vested in them, for the use and benefit of
12 their school; and such property, whether real or personal, shall be to
13 them and their predecessors in office, in the same manner as if they
14 were a body politic and corporate in law.

SEC. 23. *And be it enacted,* That there shall be a classical acade-

*Can be used
to hold property*

2 mick institution in each of the several counties of this state, and that
 3 in addition to the ordinary course of studies and learning in such in-
 4 stitutions, a professorship of agriculture shall be founded therein.

SEC. 24. *And be it enacted,* That there shall be a pattern farm
 2 for the improvement of husbandry, established convenient to each of
 3 the said academick institutions, in the several counties of this state;
 4 which said farm shall be under the direction, management and con-
 5 trol of the trustees of such institution, and be exclusively cultivated
 6 by free citizens, and the children of such as may be admitted at the
 7 di-cretion of the said trustees, and be apprenticed to serve in the va-
 8 rious employments of the said farm, until they shall arrive at the
 9 lawful age of twenty one years.

SEC. 25 *And be it enacted,* That the children of such free citizens
 2 as shall be admitted and apprenticed, to serve on the said pattern
 3 farm, shall be entitled within the term of their apprenticeship, in ad-
 4 dition to good and sufficient subsistence and cloathing, to receive
 5 the benefits of public instruction in the academick institution, at

6 such time or times as may be designated by the trustees of said in-
7 stitution, in the whole to be equal to three entire years in the most
8 useful branches of education, including three courses of lectures on
9 agriculture.

SEC. 26 *And be it enacted*, That the professor of agriculture to be
2 appointed by the said trustees, in addition to the salary allowed by
3 law, shall be entitled to receive from each attendant upon his lec-
4 tures, excepting the pupils of the patern farm, who shall always be
5 admitted free of charge, such fee as may be allowed by the said trus-
6 tees.

SEC. 27. *And be it enacted*, That whenever the necessary funds
2 shall have been assigned and appropriated, the treasurer of the Wes-
3 tern Shore shall be authorised and required to pay annually, out of
4 any unappropriated funds, to the trustee of each of the academick
5 institutions of this state, one thousand five hundred dollars, in semi-
6 annual payments, on the first day of April and October in each
7 year, whereof five hundred dollars shall be applied to the payment

8 of the salary of the professor of agriculture, and one thousand dol-
9 lars; to such other instructors as may be employed by the trustees
10 in the various departments of literature.

then farm.
ought

SEC. 28. *And be it enacted,* That whenever the necessary funds
2 shall have been assigned and appropriated, the said treasurer shall be
3 further authorised and required, to pay annually out of any unap-
4 propriated funds during ten years, to the justices of the levy court
5 of each of the several counties of this state, five hundred dollars to be
6 applied by the said justices to the purchase in fee simple of a suitable
7 tract not exceeding five hundred acres of land, for a pattern farm, and
8 the proper implements and other necessary means for conducting
9 the same.

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SEC. 29. *And be it enacted,* That the productions of the
2 pattern farm, from time to time, shall be disposed of at pub-
3 lic or private sale, and all the profits shall be applied to the
4 encouragement of husbandry or towards the establishment

5 of meritorious pupils of the several institutions as may here-
6 after be provided for by law.

SEC. 30 *And be it enacted,* That the provisions of this act
2 shall not be construed as intended to erect academick institu-
3 tions in any of the counties of this state, where such instru-
4 tions do not exist, but that the same shall be considered as
5 in being for all the purposes of this act.

SEC. 31 *And be it enacted,* That all the funds hereafter to
2 be assigned and appropriated for the support and mainte-
3 nance of public instructions as relating to the primary schools
4 shall be apportioned and distributed amongst the several
5 counties of this state, according to the rates of white popula-
6 tion, as ascertained by the last preceding census of the United
7 States, and it shall be the duty of the superintendent of pub-
8 lic instruction, to give notice thereof in writing to each of
9 the clerks of the county courts of such counties, setting forth

*Approved
March 27
James R.*

10 the amount of money apportioned to his county, and the
11 time when the same shall be payable to the commissioners
12 of said county, according to the provisions and principles of
13 the act, entitled an act to incorporate a company to make a
14 turnpike road leading to Cumberland, and for the extension
15 of the charters of the several banks in the city of Baltimore
16 and for other purposes, and its several supplements, and the
17 faith of the state is hereby inviolably pledged for such as-
18 signment and appropriation.

SEC. 32. *And be it enacted,* That as soon as the revenues

der of Distri
tion of funds
2 which may be assigned and appropriated to the encourage-
3 ment and support of public instruction, shall be sufficient
4 for commencing the munificent purposes of this act, the same
5 shall be apportioned and distributed to each of the several
6 counties of this state, in the following order, that is to say:
7 First, for the use and benefit of primary schools, as is herein

8 before provided; second, one thousand and five hundred dol-
9 lars, for the use and benefit of academick institution; third,
10 one thousand dollars for the purchase of a pattern farm.

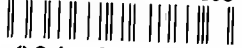
SEC. 33. *And be it enacted,* That the funds accruing un-
2 der the act entitled, An Act to incorporate a company, to
3 make a turnpike road leading to Cumberland, and for the
4 extension of the charters of the several banks in the City of
5 Baltimore, and for other purposes; and its several supple-
6 ments, and the acts of Assembly, passed at December ses-
7 sion, chapter 16 and 93; and the donations to colleges and
8 academies, shall be considered as included in and composing
9 a part of the revenues to be assigned and appropriated for
10 the encouragement and support of public instructions.

SEC. 34 *And be it enacted,* That until the funds assigned
2 and appropriated support of primary schools,
3 shall have become sufficient to pay for the instruction of all

4 the youth of this state; it shall be the duty of the trustees
5 in their respective districts, to apportion and apply so much
6 of the said funds as may be to them, assigned towards the
7 instruction of the children of the most indigent, and least
8 wealthy of the inhabitants of such district.

MR. TEACKLE.

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